

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE: : CASE NO. 10-93904-BHL-11
EASTERN LIVESTOCK CO., LLC, : (Judge Basil H. Lorch III)
Debtor. :
: **MOTION OF THE FIRST BANK**
: **AND TRUST COMPANY TO**
: **CONTINUE THE HEARING OF**
: **SEPTEMBER 4, 2012**
:

The First Bank and Trust Company ("First Bank"), by counsel, respectfully requests the Court to enter an order continuing the currently scheduled September 4, 2012 hearing on the Disclosure Statement (the "Hearing"). For the reasons set forth by Superior Livestock Auction, Inc. in its Motion to Continue Hearing ("Superior's Motion") [Dkt. No. 1271] and for the reasons set forth in the Creditors' Joinder in Superior Livestock Auction, Inc.'s Motion to Continue Hearing on Adequacy of Trustee's Disclosure Statement ("Creditors' Joinder") [Dkt. No. 1280], First Bank respectfully requests that the Hearing currently set for September 4 be continued. In particular, First Bank agrees with the statements made in paragraph 5 of the Creditors' Joinder that there are threshold issues that must be fully-briefed, evidence that must be submitted to the Court, and pending motions that must be decided before the creditors are forced to address the current proposed Trustee's Chapter 11 Plan of Liquidation [Doc. No. 1255] and Disclosure Statement for Trustee's Chapter 11 Plan of Liquidation ("Disclosure Statement") [Doc. No. 1256]. The Disclosure Statement, moreover, makes no

reference to the motions seeking to remove the Trustee or the objections to the employment of and request for disgorgement of the professional fees of Faegre Baker Daniels. The Hearing, as scheduled, should be continued to provide creditors sufficient time to address the proposed Disclosure Statement and Plan following resolution of the motions and objections directed at the Trustee and Faegre Baker Daniels.

WHEREFORE, First Bank respectfully requests that this motion, along with Superior's Motion and the Creditors' Joinder, be granted.

Respectfully submitted,

/s/ Daniel J. Donnellon

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CERTIFICATE OF SERVICE

I certify that on the 31st day of July, 2012, I electronically filed the foregoing Motion of The First Bank and Trust Company to Continue the Hearing of September 4, 2012 with the Clerk of Courts using the CM/ECF system, which will send notification of such filing to CM/ECF participants:

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